

09/852,965

-26-

REMARKS

Interview Summary Statement

A telephonic interview between Steven G. Davis, Attorney for Applicants, and Examiner Venkataraman Balasubramanian was held on February 4, 2004. The Examiner is thanked for granting the interview and for his constructive comments during the interview.

For a summary of the interview, Applicants refer to the Interview Summary provided by the Examiner.

Claim Amendments

Claims 15, 71, 109, 118, 123 and 147 have been amended so that the alkyl group represented by R_x can only be substituted with a recited group a substituents. Support for this amendment is found on page 7, lines 5-11. It is noted that C1-C6 alkyl is omitted from this list. Because "alkyl" is defined to be branched, reciting C1-C6 alkyl would be redundant. "Aryl" and "heteroaryl" are also omitted from this list. Because R_x can also be aralkyl and heteroaralkyl, reciting "aryl" and "heteroaryl" in this list would be redundant.

Claims 15, 71, 109, 118, 123 and 147 have been amended so that the aralkyl and heteroaralkyl group represented by R_x is substituted only in the aryl or heteroaryl portion (support is found on page 6, lines 22-29 and page 7, lines 12-14) or is substituted on the alkyl portion with a recited list of groups (support is found on page 7, lines 5-11).

Claims 71, 98, 123 and 147 have been amended to limit the TNF-mediated disease to a recited list.

Restriction Requirement

Claims 109-160 have been restricted. However, the compounds recited in these claims are completely embodied within the scope of the compounds recited in Claims 15 and 75. Therefore, the restriction is improper. Withdrawal is respectfully requested.

09/852,965

-27-

Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 71, 98, 123 and 147 have been amended to limit the TNF-mediated disease to those for which the application provides animal data showing efficacy (see Examples 18-19 on pages 77-80). With this amendment, it is believed that the rejection has been overcome.

Withdrawal is requested.

Rejection Under 35 U.S.C. § 103

The claims are rejected as being obvious in view of Adams (U.S. Patent No. 6,306,840).

The portion of the compounds disclosed by Adams which corresponds to R_8 of Applicants' claimed compound is an alkyl group substituted by "X" or an aralkyl or heteroaralkyl group substituted in alkyl portion of the group by "X". As amended, an alkyl group or the alkyl portion of an aralkyl or heteroaralkyl group represented by R_8 in the claimed invention cannot be substituted by any group having the value of "X". Therefore, the rejection has been overcome.

09/852,965


-28-

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
Steven G. Davis, Esq.
Registration No.: 39,652
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: *February 25 2004*